S.N. 09/899,147

**REMARKS** 

This amendment is made in response to the Final Rejection dated March 26, 2003. Therein, independent claim 1 and 25 were rejected using 35 USC § 102(b) over <u>Fischell</u>, U.S. Patent No. 5,697,971. Further, <u>Fischell</u> was used to reject all of the remaining claims under 35 USC § 103(a). In addition, claims 1, 2, 3, 5 and 6 were rejected under 35 USC § 103 using <u>Cox</u>, U.S. 6,273,911 in view of <u>Klein</u>, U.S. 5,922,020. With the amendment made herein, this

rejection is traversed.

None of the art shows the diverging tapered curved section as is now claimed. Rather, at

best, Fischell shows an area of thickness at the center of a stent. No accompanying description is

given. Moreover, Klein shows "weakened cross-sections" but not the "continued tapered strut"

as now claimed. Therefore, one reading this prior art would not be able to use Fischell or Klein

to derive the current invention, either under 35 USC § 102 or USC § 103.

As such, Applicants request allowance of claims 1-25. Should the Examiner seek to

discuss this claims with Applicant's attorney, she is requested to do so at the below listed

number.

Respectfully submitted,

Paul A. Coletti

Reg. No. 32,019 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2815

July 17, 2003